

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of claims:

Claims 1-12. (Cancelled)

13. (Currently Amended) A method of producing recombinant phytase having modified activity, said method comprising:

a) providing a nucleic acid comprising a sequence encoding a signal sequence operable in a *Bacillus* species and a sequence encoding a mature phytase, wherein said nucleic acid encodes a polypeptide that is at least 95% identical to SEQ ID No. 2;

b) subjecting said nucleic acid to error-prone amplification;

c) transforming a host cell with an expression construct comprising a product of said amplification; and

d) culturing said host cell under conditions suitable for said cell to express said amplification product.

14. (Original) The method of Claim 13, wherein said host cell is *Bacillus subtilis*.

15. (Original) The method of Claim 13, further comprising:

e) recovering said phytase.

Claims 16-22. (Cancelled)

23. (Currently amended) The method according to Claim 13, wherein said nucleic acid encodes a polypeptide that is at least 98% identical to SEQ ID No. 2.